

**UTILITY APPLICATION**

Attorney Docket No.: MASIMO.173C2

First Named Inventor: Mohamed K. Diab

Title: PULSE OXIMETER PROBE-OFF DETECTOR

Express Mail Label No.: EV 308026483 US

**Direct all correspondence to Customer No.: 20995**

Date: November 25, 2003

Page 1 of 2

**Mail Stop Patent Application**

United States Patent and Trademark Office

PO Box 1450

Alexandria, VA 22313-1450

The following enclosures are transmitted herewith to be filed in the patent application of:

**INVENTORS LIST:**

1. Mohamed K. Diab
2. Ammar Al-Ali

**DOMESTIC PRIORITY INFORMATION:**

The present application is a continuation of U.S. Application No. 10/027,574, filed December 19, 2001, now U.S. Patent 6,654,624, which is a continuation of U.S. Application No. 09/531,820, filed March 21, 2000, now U.S. Patent 6,360,114 (the "Parent Application), which claims a priority benefit under 35 U.S.C. § 119(e) from U.S. Provisional No. 60/126,148, filed March 25, 1999.

**FILING FEES:**

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Basic Utility		1001 (\$770)		\$770
Non-English Spec.		1053 (\$130)		\$0
Recordation Fee		8021 (\$40)	0 x 40 =	\$0
Excess Claims > 20	20 - 20 = 0	1202 (\$18)	0 x 18 =	\$0
Independent > 3	4 - 3 = 1	1201 (\$86)	1 x 86 =	\$86
Multiple Claim		1203 (\$290)		\$0
			<b>TOTAL FEE DUE</b>	<b>\$856</b>

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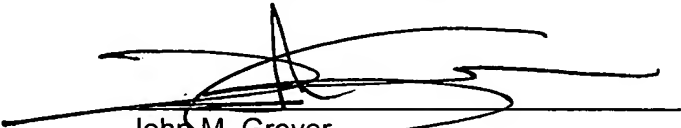
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### ENCLOSED APPLICATION ELEMENTS:

1. Specification in 17 pages.
2. Drawings in 7 sheets.
3. Copy of Declaration by Inventors in 2 pages from the Parent Application.
  - Incorporation by Reference. The entire disclosures of the prior applications mentioned in the foregoing, including the two utility applications and the provisional application, are considered a part of the disclosure of the accompanying application and are hereby incorporated by reference herein.
  - Examiner in prior application: Eric F. Winakur.
  - Group Art Unit of prior application: 3736.
4. Copy of Recorded Assignment in 4 pages from the Parent Application.
5. Copy of Power of Attorney in 2 pages from the Parent Application.
6. Information Disclosure Statement and PTO-1449 in 3 total pages (IDS and 1449) listing 23 references cited in the Parent Case which are not being submitted herewith.
7. A check in the amount of **\$856** to cover the Total Fee Due.
8. Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



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MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Attorney Docket No.:** MASIMO.173C2

**Applicants** : Mohamed K. Diab, et al.

**For** : PULSE OXIMETER PROBE-OFF  
DETECTOR

**Attorney** : John M. Grover

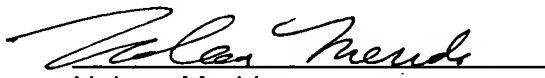
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**Date of Deposit** : November 25, 2003

I hereby certify that the accompanying

Transmittal Letter; Specification in 17 pages; 7 sheets of drawings; Declaration by Inventor in 2 pages from Parent Case; Recordation Form Cover Sheet and Assignment in 4 pages from the Parent Case; Power of Attorney by Assignee in 4 pages from Parent Case; Information Disclosure Statement, PTO Form 1449 with 23 references which are not being submitted herewith; Check for Filing Fee; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Nelson Merida

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